

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DAVID T. MILLER,

Plaintiff,

v.

CASE NO. 3:20-cv-1263-HES-JBT

RUBY TUESDAY,

Defendant.

ORDER

This cause is before this Court on the Magistrate Judge's Report and Recommendation (Dkt. 8). The Magistrate Judge recommended Plaintiff's Motion to Proceed In Forma Pauperis (Dkt. 2) be denied and the case be dismissed. No objections were filed to the Report and Recommendation. After an independent review of the record and upon consideration of the Report and Recommendation, this Court adopts the same in all respects.

Accordingly, it is **ORDERED**:

1. The Magistrate Judges Report and Recommendation (Dkt. 10) is **adopted**;
2. The Motion to Proceed In Forma Pauperis (Dkt. 2) is **DENIED** and this case is **DISMISSED WITHOUT PREJUDICE**; and
3. The Clerk is directed to terminate all pending motions and close this file.

DONE AND ORDERED at Jacksonville, Florida, this 1st day of February,
2020.



HARVEY E. SCHLESINGER
UNITED STATES DISTRICT JUDGE

Copies to:
Hon. Joel B. Toomey
David T. Miller, *Pro Se*